

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION**

JOHN DOE #1, an individual, JOHN DOE #2,
an individual, and PROTECT MARRIAGE
WASHINGTON,

Plaintiffs,

vs.

SAM REED, in his official capacity as
Secretary of State of Washington, DEBRA
GALARZA, in her official capacity as Public
Records Officer for the Secretary of State of
Washington,

Defendants.

No.

**Plaintiffs' FRCP Rule 5.1 Notice to
the Attorney General of
Washington**

PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 5.1, NOTICE IS HEREBY
GIVEN to the Attorney General of the State of Washington that the plaintiffs in the above-titled
case filed a complaint and also a motion for a temporary restraining order and preliminary
injunctive relief in which they question the constitutionality of certain provisions of the
Washington Public Records Act.

Specifically, the plaintiffs question the following:

(1) Whether Wash. Rev. Code § 42.56.070 is unconstitutional to the extent that it requires
the Secretary of State to make referendum petitions submitted to the Secretary of State's office
available to the public, because it is not narrowly tailored to serve a compelling government

Rule 5.1 Notice to Attorney General
(No. _____)

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1 South Sixth Street
Terre Haute, Indiana 47807-3510
(812) 232-2434

1 interest; and

2 (2) Whether Wash. Rev. Code § 42.56.070 is unconstitutional as applied to the Referendum
3 71 petition to the extent that it requires the Secretary of State to make referendum petitions
4 submitted to the Secretary of State's office available to the public, because there is a reasonable
5 probability that the signatories to the Referendum 71 petition will be subjected to threats,
6 harassment, and reprisals.

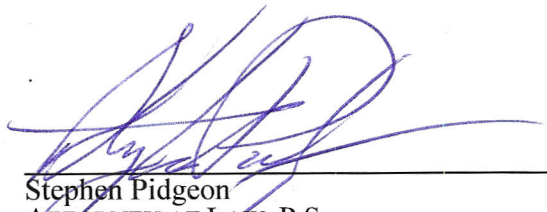
7 INCLUDED WITH THIS NOTICE is a copy of Plaintiffs' Verified Complaint, as well as a
8 copy of Plaintiffs' Notice of Motion and Motion for Temporary Restraining Order and
9 Memorandum in Support of Motion for Temporary Restraining Order and Preliminary
10 Injunction.

11 Dated this 28th day of July, 2009.

12 Respectfully submitted,

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14 James Bopp, Jr. (Ind. Bar No. 2838-84)*
15 Sarah E. Troupis (Wis. Bar No. 1061515)*
16 Scott F. Bieniek (Ill. Bar No. 6295901)*
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21 *Counsel for All Plaintiffs*

22 *Pro Hac Vice Application Pending



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